

# Exhibit D

# GIBSON, DUNN & CRUTCHER LLP

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January 25, 2007

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### VIA EMAIL

Phyllis M. Parker, Esq.  
Berger & Montague, P.C.  
1622 Locust Street  
Philadelphia, Pennsylvania 19103-6305

Re: *In re Veeco Instruments Inc. Sec. Litig., 05 MD 1695 (CM)(GAY)*

Dear Phyllis:

I received your letter dated January 24, 2007 concerning scheduling of depositions. As I'm sure you realize, Plaintiffs' continued insistence on deposing witnesses in a particular order, and continued refusal to accept depositions dates offered by Defendants is making scheduling extremely difficult. We agreed to extend the discovery schedule through February in part to

**REDACTED**

We will not agree to a schedule that similarly packs the depositions of all of these witnesses into the last few days of February. Indeed, it likely would be impossible for us to schedule all of our witnesses for depositions at the end of February, even if we wanted to do so. In particular,

**REDACTED**

**REDACTED**

GIBSON, DUNN & CRUTCHER LLP

Phyllis M. Parker, Esq.  
January 25, 2007  
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Please confirm no later than noon on January 29 that you will go forward with those depositions on those dates.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross Wallin", with a stylized flourish at the end.

Ross Wallin

cc: Robert I. Harwood, Esq.  
John A. Herfort, Esq.  
Robert F. Serio, Esq.